

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00957-RBW**

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE et al  
Assigned to: Judge Reggie B. Walton  
Case: 1:19-cv-00810-RBW  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/04/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JASON LEOPOLD**

represented by **Joshua Hart Burday**  
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311 N. Aberdeen Street  
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**ATTORNEY TO BE NOTICED**

**Matthew Topic**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**BUZZFEED INC.**

represented by **Joshua Hart Burday**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Matthew Topic**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **Courtney Danielle Enlow**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**DOJ OFFICE OF ATTORNEY  
GENERAL**

represented by **Courtney Danielle Enlow**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**DOJ DEPUTY ATTORNEY  
GENERAL**

represented by **Courtney Danielle Enlow**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**DOJ OFFICE OF SPECIAL  
COUNSEL**

represented by **Courtney Danielle Enlow**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/04/2019	<u>1</u>	COMPLAINT against DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE ( Filing fee \$ 400 receipt number 0090-6041154) filed by JASON LEOPOLD, BUZZFEED INC.. (Attachments: # <u>1</u> Exhibit A – FOIA Request, # <u>2</u> Exhibit B – DOJ Response, # <u>3</u> Civil Cover Sheet Civil Cover Sheet, # <u>4</u> Summons Summons)(Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	<u>2</u>	NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	<u>3</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of BUZZFEED INC., JASON LEOPOLD (Burday, Joshua) (Entered: 04/04/2019)
04/04/2019	<u>4</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED INC. (Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	<u>5</u>	MOTION for Preliminary Injunction by BUZZFEED INC., JASON LEOPOLD (Attachments: # <u>1</u> Exhibit A – Leopold Decl, # <u>2</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	<u>6</u>	MOTION to Expedite <i>Plaintiff's Request for Expedited Preliminary Injunction Hearing</i> , MOTION for Hearing re <u>5</u> MOTION for Preliminary Injunction by BUZZFEED INC., JASON LEOPOLD (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 04/04/2019)
04/05/2019		Case Assigned to Judge Timothy J. Kelly. (zsb) (Entered: 04/05/2019)
04/05/2019	<u>7</u>	SUMMONS (6) Issued Electronically as to DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 04/05/2019)
04/08/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/5/2019. Answer due for ALL FEDERAL DEFENDANTS by 5/5/2019. (Topic, Matthew) (Entered: 04/08/2019)
04/09/2019	<u>9</u>	Case reassigned to Judge Reggie B. Walton as there is an earlier related case. Judge Timothy J. Kelly is no longer assigned to the case. (rj) (Entered: 04/11/2019)
04/11/2019	<u>10</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the defendants shall file their opposition to the plaintiffs' motion for a preliminary injunction on or before 12:00 p.m. on April 15, 2019. It is further ORDERED that the plaintiffs shall file their reply in support of their motion on or before 12:00 p.m. on April 16, 2019. It is further ORDERED that the <u>6</u> Plaintiffs' Request for Expedited Preliminary Injunction Hearing is GRANTED IN PART and DENIED IN PART. The motion is granted to the extent that the plaintiffs seek a hearing on their motion for a preliminary injunction. The motion is denied in all other respects. It is further ORDERED that the parties shall appear before the Court for a hearing on the Plaintiffs' Combined Motion for Preliminary Injunction and Memo in Support on April 16, 2019, at 2:00 p.m. Signed by Judge Reggie B. Walton on April 11, 2019. (lcrbw1) (Entered: 04/11/2019)

04/11/2019	<u>11</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that, on or before April 19, 2019, the parties in the above-captioned matters shall SHOW CAUSE as to why the cases should not be consolidated. Signed by Judge Reggie B. Walton on April 11, 2019. (lcrbw1) (Entered: 04/11/2019)
04/11/2019	<u>12</u>	NOTICE of Appearance by Courtney Danielle Enlow on behalf of All Defendants (Enlow, Courtney) (Entered: 04/11/2019)
04/12/2019		Set/Reset Deadlines: Responses to Show Cause Order due by 4/19/2019. (hs) (Entered: 04/12/2019)
04/12/2019		Set/Reset Deadlines/Hearings: Response due by 4/15/2019 Reply due by 4/16/2019. Motion Hearing set for 4/16/2019 at 02:00 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/12/2019)
04/12/2019	<u>13</u>	RESPONSE TO ORDER TO SHOW CAUSE by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE re <u>11</u> Order, . (Attachments: # <u>1</u> Text of Proposed Order)(Enlow, Courtney) (Entered: 04/12/2019)
04/12/2019	<u>14</u>	RESPONSE re <u>5</u> MOTION for Preliminary Injunction filed by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Index to Exhibits, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Enlow, Courtney) (Entered: 04/12/2019)
04/12/2019	<u>15</u>	MOTION to Vacate <u>10</u> Order on Motion to Expedite,,, Order on Motion for Hearing,,, <i>Motion to Vacate Hearing on Plaintiffs' Motion for a Preliminary Injunction</i> by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Index to Exhibits, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Enlow, Courtney) (Entered: 04/12/2019)
04/15/2019	<u>16</u>	REPLY to opposition to motion re <u>5</u> MOTION for Preliminary Injunction <i>Plaintiffs' Reply in Support of Their Motion for Preliminary Injunction</i> filed by BUZZFEED INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 04/15/2019)
04/16/2019	<u>17</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the Defendants' Opposition to Plaintiffs' Motion for a Preliminary Injunction and Defendants' Motion to Vacate Hearing is Denied, Signed by Judge Reggie B. Walton on April 16, 2019. (lcrbw1) (Entered: 04/16/2019)
04/16/2019		Minute Entry for proceedings held before Judge Reggie B. Walton: Motion Hearing held on 4/16/2019 re <u>5</u> MOTION for Preliminary Injunction filed by BUZZFEED INC., JASON LEOPOLD. Oral argument heard, and motion is DENIED for reasons stated on the record. Status conference remains scheduled for 5/2/19 @ 10am in case 19 cv 810. (Court Reporter: Lisa Edwards.) (tj) (Entered: 04/16/2019)
04/18/2019	<u>18</u>	ORDER. In accordance with the Court's oral rulings issued at the motion hearing held on April 16, 2019, it is hereby ORDERED that the <u>5</u> Plaintiffs' Combined Motion for Preliminary Injunction and Memo in Support is DENIED WITHOUT PREJUDICE. Specifically, the motion is denied because the plaintiffs have not satisfied their burden of demonstrating that they have a substantial likelihood of success on the merits of their claim and that they face irreparable harm in the absence of an injunction. It is further ORDERED that the government shall file its answer to the plaintiffs' Complaint on or before April 25, 2019. It is further ORDERED that the parties shall appear before the Court on May 2, 2019, at 10:00 a.m. to discuss how the parties wish to proceed in this case. Signed by Judge Reggie B. Walton on April 18, 2019. (lcrbw1) (Entered: 04/18/2019)
04/19/2019		Set/Reset Deadlines: Answer to the Complaint due by 4/25/2019, (hs) (Entered: 04/19/2019)
04/19/2019		Set/Reset Hearings: Status Conference set for 5/2/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/19/2019)
04/19/2019	<u>19</u>	NOTICE <i>Plaintiffs' Position on Consolidation</i> by BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 04/19/2019)